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Large-scale pelagic drift-net fishing and its impact on the living marine resources of the world's oceans and seas

Report of the Secretary-General

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I. INTRODUCTION

1. At its forty-sixth session, in its resolution 46/215 of 20 December 1991, the General Assembly recalled its resolutions 44/225 and 45/197 and in paragraph 3 of the resolution called upon all members of the international community to implement resolutions 44/225 and 45/197 by, inter alia, taking the following actions:

> "(a) Beginning on 1 January 1992, reduce fishing effort in existing large-scale pelagic high seas drift-net fisheries by, inter alia, reducing the number of vessels involved, the length of the nets and the area of operation, so as to achieve, by 30 June 1992, a 50 per cent reduction in fishing effort;
>
> "(b) Continue to ensure that the areas of operation of large-scale pelagic high seas drift-net fishing are not expanded and, beginning on 1 January 1992, are further reduced in accordance with paragraph 3 (a) of the present resolution;
>
> "(c) Ensure that a global moratorium on all large-scale pelagic drift-net fishing is fully implemented on the high seas of the world's oceans and seas, including enclosed seas and semi-enclosed seas, by 31 December 1992."

2. In paragraph 5 of resolution 46/215, the General Assembly requested the Secretary-General to bring the resolution to the attention of all members of the international community, intergovernmental and non-governmental organizations and well-established scientific institutions with expertise in relation to living marine resources.

3. These members and organizations were requested to submit to the Secretary-General information concerning activities or conduct inconsistent with the terms of the resolution.

4. Accordingly, the Secretary-General sent a note verbale to all members of the international community, drawing their attention to resolution 46/215. Letters were also addressed to the intergovernmental and well-established scientific institutions with expertise in relation to living marine resources.

5. The Secretary-General has received a number of responses and submissions from States, intergovernmental and non-governmental organizations and scientific organizations, which have been taken into account in the preparation of the present report. He wishes to express his appreciation for all the contributions.

6. The present report is submitted to the General Assembly in response to the request contained in paragraph 7 of resolution 46/215.

II. ACTIVITIES OF INTERGOVERNMENTAL ORGANIZATIONS

7. The North-West Atlantic Fisheries Organization (NAFO) reported that the General Council of NAFO had reconfirmed at its 13th annual meeting in September 1991 that large-scale pelagic drift-net fishing is not presently practised by the contracting parties of NAFO in the Convention area.

8. The International Council for the Exploration of the Sea (ICES) reported that, based on the replies received from 4 out of 17 member countries from ICES member country delegates, there was no use of large-scale pelagic drift-nets in the North Atlantic area.

9. In its response of 30 June 1992, the International Baltic Sea Fishery Commission noted that resolution 46/215 applied to large-scale pelagic drift-net fishing on the high seas. Its understanding was that, for the purpose of resolution 46/215, there were no high seas within the Baltic Sea, and therefore in the International Baltic Sea Fishery Commission area there were no activities or conduct inconsistent with the terms of resolution 46/215.

10. In its submission to the Secretary-General of 14 May 1992, the Latin American Organization for Fisheries Development (OLDEPESCA) stated that this matter was dealt with by the Conference of Ministers of OLDEPESCA at its eighth regular meeting, held in November 1991 at Managua. This meeting adopted resolution No. 076-CM on the prohibition of the use of drift-nets. In that resolution, the Conference of Ministers recognized the highly deleterious effect that large-scale drift-net fishing could have on the marine environment and on marine resources. The Conference accepted the principles contained in General Assembly resolutions 44/225 and 45/197 and urged the Latin American and Caribbean countries to adopt, in accordance with their own legal procedures, the necessary measures for ensuring the total prohibition of the use of large-scale drift-net fishing in waters under their jurisdiction.

11. In November 1991, the International Commission for the Conservation of Atlantic Tunas (ICCAT) adopted a resolution concerning catches of bluefin tuna by non-member countries. The resolution noted that several non-contracting parties had harvested and continued to harvest Atlantic bluefin tuna outside the regulatory regime of the Commission and contrary to the principles of customary international law, as articulated in the United Nations Convention on the Law of the Sea. Accordingly, ICCAT resolved to invite again all non-contracting parties fishing tuna in the Convention area to join the Commission as a member or to participate as an observer. Contracting parties on their part were requested to encourage non-contracting parties fishing tuna in the Convention area to join the Commission. In order to implement the resolution certain technical details were to be developed relating, inter alia, to the following:

(a) The review of recommendations concerning the prohibition of the transfer at sea of western Atlantic bluefin tuna between vessels from different countries;

(b) The consideration and outlining of measures to prevent the re-flagging of vessels of contracting parties for the purpose of avoiding fisheries management measures established by the Commission.

12. At a meeting held at Madrid in November 1991, ICCAT adopted recommendations to enhance the management measures currently in effect on western Atlantic bluefin tuna (Thunnus thynnus).

13. The Forum Fisheries Agency (FFA) reported over the past 12 months that FFA had received one confirmed report of large-scale pelagic drift-net fishing in the South Pacific region. In June a Taiwanese vessel equipped to gillnet (targeting Spanish mackerel) was apprehended in the Gulf of Papua. 1/

14. Article 8 of the Convention for the Prohibition of Fishing with Long Drift-nets in the South Pacific (the Wellington Convention) requires parties to cooperate with each other and with appropriate distant water fishing nations and other entities or organizations in the development of conservation and management measures for South Pacific albacore tuna within the Convention area. In accordance with this provision FFA convened a Fourth Consultation on Arrangements for South Pacific Albacore Fisheries Management, from 16 to 18 December 1991. The consultation was attended by all FFA member countries as well as Taiwan Province of China, France (representing French Polynesia, New Caledonia and Wallis and Futuna), Japan, Korea, the United States of America and the South Pacific Commission. In its response to the Secretary-General, FFA observed that, from the point of view of FFA member countries, little progress had been made in the development of an appropriate management arrangement.

15. The Forum reaffirmed its commitment to the cessation of drift-net fishing. It fully supported General Assembly resolution 46/215, which will end high seas drift-net fishing globally by 31 October 1992. It called on all eligible countries to ratify the Convention for the Prohibition of Fishing with Long Drift-nets in the South Pacific or its protocols (A/47/391, annex, para. 13).

III. REVIEW BY REGION

A. North Pacific

16. On 11 February 1992, Canada, Japan, the Russian Federation and the United States of America signed in Moscow the Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean. The Convention prohibits "directed fishing for anadromous fish", including through the use of large-scale drift-nets, in the waters of the North Pacific Ocean and its adjacent seas, north of 33°N beyond the 200-mile limit (art. III). Incidental taking of anadromous fish shall be minimized to the maximum extent practicable to reduce such incidental taking to insignificant levels (annex). For the purposes of this Convention "directed fishing" means fishing targeted at a particular species or stock of fish, and "incidental taking" means catching,

taking or harvesting a species or stock of fish while conducting directed fishing for another species or stock of fish. 2/ This treaty in effect recognizes that fisheries for anadromous stocks should be conducted only in waters within 200 nautical miles of the baselines from which the breadth of the territorial sea is measured.

17. Once in force, this Convention will establish an international organization to promote the conservation of Pacific anadromous species throughout their migratory range in the high seas area of the North Pacific Ocean and its adjacent seas, as well as ecologically related species, including various marine mammals, seabirds and non-anadromous fish species. The new organization, which will be known as the North Pacific Anadromous Fish Commission, will also serve as a needed venue for consultation and coordination of high seas fishery enforcement activities by the contracting parties.

18. In its submission to the Secretary-General of September 1992, the United States called upon all members of the international community to implement resolution 46/215 and abide fully by the global moratorium on large-scale pelagic drift-net fishing.

19. It urged all members of the international community to report, on a timely basis, any activity that was contrary to resolution 46/215 to the Secretary-General and to appropriate national, regional and international organizations and entities.

20. The United States also agreed that all members of the international community should take appropriate measures to prohibit their nationals and fishing vessels flying their flag from undertaking any activities contrary to resolution 46/215 and to impose appropriate penalties against any that might undertake such activities.

21. It noted that it had already taken steps, through the enactment of Public Law 101-627 of 28 November 1990, to prohibit any United States national from engaging in large-scale drift-net fishing, including in areas beyond the exclusive economic zone of any nation.

22. With regard to paragraph 3 (b) of resolution 46/215, the United States stated that it had remained vigilant in its efforts to cooperate with all concerned members of the international community to ensure that areas of large-scale pelagic drift-net fishing on the high seas were not expanded.

23. The United States reported that it had extended its 1991 enforcement, regulatory and information-gathering agreements for the high seas squid and large-mesh drift-net fisheries of Japan, Taiwan Province of China and the Republic of Korea in the North Pacific Ocean. The extension will be in force until 31 December 1992, when the global moratorium on large-scale pelagic drift-net fishing on the high seas takes effect pursuant to resolution 46/215. These agreements, inter alia, restrict the time and area of the high seas drift-net fishing vessel operations, limit the number of vessels that may

participate in the fishery, provide for the transmission of catch and effort data to the United States, and allow for cooperative high seas enforcement activities by United States and flag state authorities.

24. In its submission of 6 October 1992, Canada reported that in the North Pacific Ocean its main concerns related to unauthorized salmon fishing and the impact of large-scale drift-nets on non-targeted species, including salmon and other fish, marine mammals and seabirds. Canada fully supported efforts to understand and effectively conserve the marine resources of the North Pacific Ocean through international cooperation. In this regard Canada was pleased to note the entry into force of the Convention for a North Pacific Marine Science Organization in March 1992. Canada also noted that the Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean, which had been ratified by Japan and Canada, was expected to come into force during 1993.

25. Canada stated that the high seas squid drift-net fisheries in the North Pacific were of considerable concern to Canada because of the significant numbers of non-targeted species that were caught in the drift-nets, killed and subsequently discarded. It noted that:

> "Canadian scientists have conducted research cruises in the North Pacific to obtain information regarding the incidental catch of non-targeted species, the number and origin of the salmon caught in squid drift-net operations, and the incidence and implications of discarded drift-nets. These fisheries research vessels have caught salmon on the eastern and northern margins of the squid fishery, which confirms that an overlap of squid and salmon distribution exists that can result in unintentional catch of salmon by squid fishing vessels. For this reason Canada has strongly opposed, and continues to oppose, Japan's unilateral decision to extend the 1989 northern boundary of its squid drift-net fishery, as well as similar boundaries adopted by Taiwan Province of China and the Republic of Korea."

26. Canada stated that a more significant problem involved the "pirates", those vessels which cross the squid fishery northern boundary to target deliberately North American-origin salmon. Since 1990, Canada stated, its Department of National Defence had conducted a programme of air surveillance flights north of the high seas squid drift-net fishing boundary to obtain direct evidence of vessels illegally drift-net fishing for salmon in the North Pacific Ocean. Vessels from Taiwan Province of China had been sighted in this area directing for salmon giving rise to concern about the extent of those catches, which were contrary to Taiwanese law. Canada declared that most of this illegal catch currently estimated at 6,000 tons was canned, frozen and re-exported from Thailand, Singapore, Malaysia, Indonesia, Hong Kong and China to Europe and Australia. It pointed out that attempts at marketing such salmon in and through Canada, the United States and Japan had largely been successfully thwarted through joint and separate enforcement actions by these countries.

27. Canada noted that in 1992 it submitted to the United Nations the report of the scientific conference held in Sidney, British Columbia, which reviewed

the impacts of large-scale drift-nets in the North Pacific Ocean (on which see the report of the Secretary-General on large-scale pelagic drift-net fishing and its impact on the living marine resources of the world's oceans and seas (A/46/615)) which were based, in part, on the findings of the 1989 and 1990 squid drift-net observer programmes with Japan. The results of the 1991 squid drift-net observer programme would be made available shortly. In its submission Canada welcomed the statement by Japan entitled "Regulatory, Enforcement and Information Gathering Programme of the Government of Japan on the Japanese High Seas Squid and Large-mesh Drift-net Fisheries for the period 1 July 1992 through 31 December 1992". Canada noted that "while the Japanese programme specifies measures to be taken by Japanese vessels to reduce fishing effort and areas of fishing operations, it is unclear if resolution 46/215's objective of a 50 per cent reduction in fishing effort by 30 June 1992 has been achieved as a result of these measures. Canada is seeking clarification on how the reduction applies to Japan's squid and large-mesh fisheries".

28. Canada also welcomed the extension of drift-net regulatory and information gathering programmes by the Republic of Korea and Taiwan Province of China for their drift-net vessels in the North Pacific for the period 1 July through 31 December 1992. Canada stated that it was seeking further clarification on the steps that these countries had taken to comply within resolution 46/215's objective of a 50 per cent reduction in fishing effort by 30 June 1992.

29. Canada concluded that its primary objective

> "... is to ensure that the 1989, 1990 and 1991 United Nations General Assembly drift-net resolutions are implemented in a full, timely and effective manner in all regions. Effective international cooperation towards this objective is necessary to ensure the conservation and protection of living resources on the high seas. To this end, Canada calls on all States and jurisdictions to ensure that their vessels and nationals comply fully with the terms of resolution 46/215, and in particular, the 31 December 1992 global moratorium on all large-scale pelagic drift-net fishing. Governments should ensure that appropriate legal sanctions are applied in full to any interests which contravene laws or regulations prohibiting large-scale drift-net fishing. Canada calls on all members of the international community to remain vigilant and report evidence of activity inconsistent with resolution 46/215 to the Secretary-General and to the appropriate national, regional and international bodies. The international community must ensure that the moratorium is not circumvented by reflagging of drift-net vessels or by drift-net fishing by 'pirate' vessels. Canada requests the Secretary-General to continue to monitor compliance with resolution 46/215 subsequent to the 31 December 1992 moratorium date and prepare a further report on the subject for consideration at the forty-eighth session of the United Nations General Assembly".

30. In its submission to the Secretary-General of 18 August 1992, Japan reported taking the following measures in accordance with paragraph 3 of resolution 46/215:

"1. Beginning on 1 January 1992, the permitted fishing area of the large-mesh drift-net fishery was reduced by approximately 40 per cent.

"2. Beginning on 1 July 1992,

"(a) The permitted fishing areas of both the squid and large-mesh drift-net fisheries were further reduced, and became approximately half of the previous year's areas;

"(b) The number of licences for the squid and large-mesh drift-net fisheries was reduced from 454 to 426 and 71 to 18, respectively;

"(c) In addition to the provisions in (a) and (b), for smooth implementation of the moratorium beginning on 1 January 1993, the maximum number of fishing vessels to engage in actual operations is established for each month as described below:

July	August	September	October	November	December
420	420	280	280	140	140

If, by any chance, the actual number of fishing vessels in any particular month should exceed the maximum number set for that month, such an excess effort will be adjusted and subtracted from the maximum number allowed in December."

B. South Pacific

31. The Convention for the Prohibition of Fishing with Long Drift-nets in the South Pacific (the Wellington Convention), which came into force on 17 May 1991, has received growing international support. 3/ The United States (28 February 1992), Kiribati (10 January 1992) and Australia (6 July 1992) have ratified the Wellington Convention. The United States has also ratified Protocol I and Canada and Chile have signed Protocol II. Parties to Protocol I, which is open to those countries which fish in the South Pacific region, agree to prevent their nationals and vessels from fishing with drift-nets in the Convention area. Parties to Protocol II, which is open to all countries in the Pacific Rim, are required not to assist or encourage the use of drift-nets in the Convention area and are also obliged to prohibit the use of drift-nets in all areas under their fishery jurisdiction, and to prohibit the transshipment of drift-net catches within areas under their jurisdiction.

32. It may be noted that Fisheries Management Act 1991 of Australia contained the legislative provisions necessary for that country to give effect to the Wellington Convention.

33. On the question of drift-net fishing activity within the South Pacific region, New Zealand made the following observations:

"8. New Zealand is pleased to report that there has been no drift-net activity within areas under its jurisdiction over the past 12 months. New Zealand fishery compliance officers maintain close cooperation with other nations on drift-net matters, including through exchanges of information on drift-net fleets. Such information has led to several vessel inspections in New Zealand waters to ensure that our strong domestic legislation on drift-netting is being fully observed.

"9. Within the broader Wellington Convention area, however, there have been some reports of drift-net activity. New Zealand wishes to express its strong concern about such reports and to urge all members of the international community to take all necessary steps to prevent their nationals or interests from engaging in or encouraging drift-net fishing within the Convention area.

"10. New Zealand is aware of several allegations of drift-net fishing activity within the South Pacific region. We regard any such activity as being inconsistent with the letter and spirit of resolution 46/215. We have taken steps to ensure the appropriate regional organization, the Forum Fisheries Agency, receives such information. Available details of the alleged incidents follow:

(a) March 1991. A number of ocean-going sailboats reported they were harried and chased by drift-net vessels in the South Pacific high seas area north-east of French Polynesia. One vessel also sighted marked drift-nets.

(b) March-May 1992. Scientific observers on board albacore troll vessels operating in the South Pacific high seas area east of New Zealand reported a low incidence of fresh drift-net damage among troll-caught albacore. While similar observations have been clearly linked to drift-net fishing in the past, no drift-net vessels were observed. This suggests that a low level of drift-net fishing may be ongoing in the Convention area adjacent to the troll fishing area.

(c) July 1991. HMNZS Tui identified a drift-net vessel during net recovery in the waters of the Federated States of Micronesia. No name or callsign was observed, the vessel did not respond when radioed and crew proceeded below decks when the Tui closed on and illuminated the vessel. The vessel was a modern ship of around 400 tons.

(d) There have been reports of drift-net vessels operating in the exclusive economic zone of Papua New Guinea adjacent to the Australian fishing zone. Two Taiwanese vessels suspected of drift-net fishing are being held by the Papua New Guinea authorities.

(e) There have been reports that drift-net vessels passed through Noumea port in New Caledonia in August 1991."

34. New Zealand concluded that it continued

> "... to believe that full implementation of resolution 46/215 is essential for the conservation and sustainable management of marine living resources. We urge all countries to take all necessary steps to ensure that their nationals and interests comply fully with the terms of the resolution. We request the Secretary-General to continue to monitor compliance with resolution 46/215 following the deadline of 31 December 1992 for the cessation of all large-scale pelagic drift-net fishing and to prepare a further report on that subject for consideration at the forty-eighth session of the General Assembly. If there is evidence that some interests are not complying fully with the resolution, the Secretary-General should identify those interests and suggest ways of ensuring that they immediately cease activities or conduct inconsistent with resolution 46/215."

35. In its submission to the Secretary-General of August 1992, Australia stated that on the high seas adjacent to Australia's east coast, no drift-net fishing activities had been reported to Australian authorities since the agreed cessation in the South Pacific came into effect in July 1991.

36. The Australian submission noted that Japan and the Republic of Korea had indicated their intention to implement measures for fleet reduction during 1992 and cessation of high seas drift-net fishing by their vessels by the end of the year. Taiwan Province of China is reported to have enacted fisheries administrative measures to meet the target of 50 per cent reduction on high seas drift-net activity by 30 June 1992 and to prohibit drift-net fishing operations in the high seas by 31 December 1992. Australia stated, however, that "we remain concerned that large-scale drift-net fishing operations may continue on the high seas beyond 31 December 1992, unless there is a strong commitment from all concerned members of the international community to ensuring full implementation of resolution 46/215".

37. Australia noted that the practice of reflagging to avoid legitimate management controls was emerging as a serious problem in a number of high seas fisheries around the world. It urged countries whose nationals have been involved in drift-net fishing to take steps to discourage them from attempts to continue drift-net operations under other flags.

38. In its submission to the Secretary-General dated 16 June 1992, Ecuador stated that in Ecuador large-scale drift-net fishing was not carried out either by national or foreign fleets. Such activities would go against the policy of the Government, given its constant preoccupation with the effective conservation of marine living resources and the protection and preservation of the marine environment.

C. Indian Ocean

39. In its reply of 28 July 1992, Kenya notified the Secretary-General that Kenya did not use drift-net fishing gear in its waters nor had they been deployed in Kenya's economic zone.

40. With respect to this region Australia noted that to its west the operations of drift-net vessels from Taiwan Province of China remained a serious concern. Australia was particularly concerned that, notwithstanding the provisions of resolution 46/215, fleet displacement might take place into areas such as the Indian Ocean, where the institutional framework might not be adequate to deal with the practice of drift-net fishing. Australia was gravely concerned at the threat posed by drift-net fishing to the marine resources of the Indian Ocean.

41. It pointed out that the southern bluefin tuna was depleted to historically low stock levels and could be further threatened if drift-net fleets continued to operate in the Indian Ocean. There was an unqualified by-catch of southern bluefin tuna by vessels from Taiwan Province of China fishing for albacore in the southern Indian Ocean. Australia in its submission observed that this could undermine the conservation and management measures that had been developed by Australia, Japan and New Zealand for the global southern bluefin tuna fishery. It stated that the negotiations for formalization of those arrangements in an international regime of treaty status were in their final stages.

42. Australia declared that in the Indian Ocean it was also concerned at the potential for the surface (drift-net) fishery to cause depletion of albacore tuna stocks, with adverse impacts upon sustainable fisheries for the species using environmentally responsible fishing methods.

43. The submission observed that the commitment of countries bordering the Indian Ocean and nations who fished there to improving standards of management of high seas fisheries in the region was reflected in their progress towards establishment of a regional fishery management body, the Indian Ocean Tuna Commission.

44. Australia stated that analysis of the impacts of drift-net fleet operation in the world's oceans continued to be hampered by the lack of accurate information on catch, efforts and by-catch, particularly the Indian Ocean. It accordingly urged the countries of the Indian Ocean region and relevant distant water fishing countries to provide the Secretary-General with any information that might be available on drift-net fishing activities in the Indian Ocean.

45. Australia maintained that under the terms of resolution 46/215, significant reduction in drift-net fishing activity should already have taken place. It was of the opinion that in the Indian Ocean the seasonal characteristics of fishing were such that the 50 per cent reduction called for in paragraph 3 (a) would probably have been met. However, it declared that in the high seas areas of the Indian and other oceans, it was difficult for

interested members of the international community to ascertain whether the targets set by paragraph 3 (a) had in fact been met.

46. In order to monitor properly the progress made in the implementation of resolution 46/215, Australia requested the Secretary-General to seek detailed information from the relevant fishing nations as to the nature, scale and timing of reduction in high seas drift-net fishing activity made pursuant to resolution 46/215. It also requested the Secretary-General to encourage concerned members of the international community to cooperate in taking measures to ensure full compliance with the moratorium provisions of the resolution.

D. Atlantic Ocean

47. Norway reported to the North-East Atlantic Fisheries Commission that there was no large-scale pelagic drift-net fishing in Norwegian waters and that they had no knowledge of any vessels registered in Norway fishing with such nets on the high seas. Norway had no information about any other activities inconsistent with resolutions 45/197 and 44/225. 4/

48. In its submission Canada noted that in the north-east Atlantic Ocean Canada remained very concerned that the European Economic Community had stated that it would not implement the moratorium in the Baltic Sea and would delay its implementation in some cases in the Atlantic Ocean and Mediterranean Sea until January 1994.

49. Sweden noted that General Assembly resolution 46/215 applied to large-scale pelagic drift-net fishing on the high seas. Sweden stated that its fishermen were not engaged in fisheries on the high seas. Accordingly, Sweden had carried out no activities inconsistent with the terms of resolution 46/215. 5/

50. Poland stated that its fisheries did not employ large-scale drift-net fishing technology on the oceans and that pelagic drift-net fishing on a small scale was pursued in accordance with rule 14 of the fishery rules of the International Baltic Sea Fisheries. 6/

51. In its submission of 27 August 1992, Trinidad and Tobago declared that it had taken the following measures to uphold the provisions of resolution 46/215:

"(a) The National Fisheries Company Limited, the majority shares of which are owned by the Government of Trinidad and Tobago, has banned the servicing of any vessels involved in large-scale drift-net fishing;

"(b) The Government of Trinidad and Tobago has appointed a Monitoring Committee on Foreign Fishing whose terms of reference include monitoring the characteristics and fishing gear of foreign fishing vessels that use Trinidad and Tobago for shipment to ensure that large-scale drift-net or any other gear that may be detrimental to fish stocks are not being used;

"(c) The Government of Trinidad and Tobago has sought legal assistance from the Food and Agriculture Organization of the United Nations to bring its marine fisheries legislation up to date. This will include regulations against large-scale drift-net fishing."

52. In its reply of 8 September 1992, the Commonwealth of Dominica informed the Secretary-General that it had no record of any party or parties engaging in large-scale pelagic drift-net fishing, inconsistent with the terms of resolution 46/215.

53. Guyana in its reply of 11 June 1992 informed the Secretary-General that it had no information concerning activities or conduct inconsistent with the terms of resolution 46/215.

54. Panama stated in its response of 20 July 1992 that its local fishing fleet did not use large-scale drift-nets, and that Panama had taken measures to ensure that ships registered in Panama did not use this type of drift-net.

55. In its submission of 25 June 1992, Uruguay stated that based on available information there were no large-scale drift-net vessels stopping at its ports. Plans are afoot to establish an information and monitoring programme in order to detect the presence of such ships. In a decree of 17 December 1991 Uruguay has, inter alia, prohibited the use of drift-nets in waters under its jurisdiction.

56. Argentina, in its submission of 1 May 1992, informed the Secretary-General that drift-net fishing was prohibited in Argentina by a resolution of the Secretary for Agriculture, Livestock and Fisheries No. 245/91 (article 14A).

57. The submission by Namibia of 29 June 1992 stated that (a) although the current legislation made provision for the use of drift-nets, provided a permit was issued for the use of such nets, the Government's policy is not to allow any kind of drift-nets within the Namibian exclusive economic zone; and (b) the draft legislation, which, it is hoped, would be in force later this year, prohibited the use of any drift-nets within the Namibian exclusive economic zone.

E. The Mediterranean

58. It has been reported that Italian swordfish drift-net vessels continue to use nets in excess of the length specified by European Economic Community regulation 345/92. 7/ It will be recalled that regulation 345/92 expressly prohibited fishing by Community vessels with drift-nets longer than 2.5 kilometres in Community waters, as well as on the high seas. Regulation 345/92 established an exception to this length (allowed until 3 December 1993) for Community vessels that have used drift-nets in the fishing of albacore tuna in the North Atlantic during at least the last two years.

59. In its response of 14 July 1992, Tunisia submitted the following information. The Tunisian fishing fleet, especially units engaged in pelagic fishing, did not use large-scale drift-nets. They used other types of fishing gear. During the last six months there had been no reports from monitoring inspectors of any activity inconsistent with the terms of resolution 46/215.

60. In its reply of 28 August 1992, Ukraine, a riparian State of the Black Sea, reported that it did not engage in large-scale drift-net fishing.

Notes

1/ Submission of FFA to the Secretary-General dated 17 September 1992.

2/ Article II of the Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean. On the impact of North Pacific drift-net fisheries on salmonids and squid, see the report of the Secretary-General on large-scale pelagic drift-net fishing and its impact on the living marine resources of the world's oceans and seas (A/46/615).

3/ International Legal Materials, vol. XXIX, 1990, pp. 1449-1469.

4/ Submission of the North-East Atlantic Fisheries Commission dated 29 June 1992.

5/ Ibid., and submission of Sweden dated 1 July 1992.

6/ Submission of Poland dated 14 July 1992.

7/ Submission of Greenpeace International dated 18 August 1992.